

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM BERNARD BIRD,

Defendant.

CR-20-31-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 29, 2022. (Doc. 94.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 28, 2022. (Doc. 89.)

The United States accused William Bird (Bird) of violating his conditions of supervised release 1) by using methamphetamine; 2) by failing to report to his probation officer as directed; 3) by consuming alcohol; 4) by failing to report for substance abuse testing; and 5) by committing another crime. (Doc. 86.)

At the revocation hearing, Bird admitted that he had violated the conditions of his supervised release 1) by using methamphetamine; 2) by failing to report to his probation officer as directed; 3) by consuming alcohol; 4) by failing to report for substance abuse testing. Judge Johnston dismissed alleged violation 5 on the Government's motion. (Doc. 89.) Judge Johnston found that the violations Bird admitted proved to be serious and warranted revocation, and recommended that Bird receive a custodial sentence of 4 months, 52 months of supervised release to follow with the first 180 days of supervised release at a residential re-entry center as directed by his probation officer. (Doc. 94.) Bird was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 89.)

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 94) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant William Bernard Bird be sentenced to the Bureau of Prisons for 4 months, 52 months of supervised release to follow with the first 180

days of supervised release at a residential re-entry center as directed by his probation officer.

DATED this 15th day of July, 2022.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

Brian Morris, Chief District Judge
United States District Court